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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LOUIS MARKS,

Plaintiff,

vs.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:18-cv-01421-RFB-BNW

**STIPULATION TO STAY DISCOVERY
DEADLINES**

Pursuant to Local Rule 7-1, Plaintiff Louis Marks ("Marks"), by and through his attorneys of record, Todd L. Bice, Esq., Emily A. Buchwald, Esq., and Daniel R. Brady, Esq., of Pisanelli Bice PLLC, and Defendant Vincent Lorenz ("Lorenz"), by and through his attorney of record, Chris Davis, Esq., of the Nevada Attorney General's Office, hereby stipulate and agree to the following:

1. Marks filed his Motion for Leave to File Second Amended Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 ("Motion to Amend") (ECF No. 72) on August 3, 2023.
2. Pursuant to the Stipulation and Order entered on August 17, 2023, the opposition to the Motion to Amend was due August 31, 2023. (ECF No. 74).
3. Defendants were unable to file an opposition by August 31, 2023, due to counsel for defendants' caseload and a motor vehicle accident which left counsel without a vehicle.
4. The Second Amended Civil Rights Complaint Pursuant to 42 U.S.C. § 1983 ("Second Amended Complaint") adds five defendants and four causes of action. (ECF No. 72-1).

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5. The State intends to move to dismiss the Second Amended Complaint, asserting qualified immunity.
6. Based on the Defendants' intent to assert qualified immunity and the potential change in the scope of the litigation due to the motion to dismiss, Marks and Lorenz stipulate to stay all deadlines in the Scheduling Order (ECF No. 70) pending resolution of the motion to dismiss.
7. The parties agree that they can continue to engage in discovery, but only as to the claims against Defendant Lorenz that were asserted in the First Amended Complaint and have not already been dismissed, while the anticipated motion to dismiss is pending.
8. After resolution of any motion to dismiss, Marks and the remaining defendants will submit a proposed amended scheduling order establishing new discovery deadlines in this case based on the operative pleading.

This stipulation is entered into in good faith in an effort to avoid unnecessary and duplicious discovery and litigation. This stipulation is not made for purposes of undue delay.

Respectfully submitted this 1st day of September 2023.

PISANELLI BICE PLLC

AARON D. FORD
ATTORNEY GENERAL

By: /s/ Emily A. Buchwald
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By: /s/ Chris Davies
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Attorney for Defendant Vincent Lorenz

Attorneys for Plaintiff Louis Marks

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: September 5, 2023